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 S. Matthew Schultz, Robert P. Beynon, Larry McNeill, Amer Tadayon,
 and Thomas L. Wood, and Nominal Defendant Cleanspark, Inc.*

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TRAVIS FRANCE, Derivatively on Behalf of
 CLEANSARK, INC.,
 Plaintiff,

v.

ZACHARY K. BRADFORD, LORI L. LOVE,
 S. MATTHEW SCHULTZ, LARRY
 MCNEILL, THOMAS L. WOOD, AMER
 TADAYON, and ROGER P. BEYNON,

Defendants,

-and-

CLEANSARK, INC., a Nevada Corporation,
 Nominal Defendant.

Case No.: 2:23-cv-00444-GMN-NJK

(Removal from District Court, Clark County,
 Nevada, Case No. A-23-866925-C)

**JOINT STIPULATION AND ORDER
 EXTENDING TIME TO REPLY TO
 OPPOSITION TO MOTION TO
 CONSOLIDATE**

Plaintiff Travis France (“Plaintiff”), derivatively on behalf of Nominal Plaintiff
 CleanSpark, Inc. (“CleanSpark”) and Defendants Zachary K. Bradford, Lori L. Love, S.
 Matthew Schultz, Larry McNeill, Thomas L. Wood, Amer Tadayon, Roger P. Beynon (the
 “Individual Defendants”), and Nominal Defendant CleanSpark (together with the Individual
 Defendants, “Defendants”) (collectively, with Plaintiff, the “Parties”), by and through their
 undersigned counsel, hereby enter into the following joint stipulation and proposed order:

WHEREAS, on March 8, 2023, Plaintiff filed a shareholder derivative complaint (the

1 “Complaint”) on behalf of Nominal Defendant CleanSpark in the Eighth Judicial District Court
2 of the State of Nevada in and for Clark County (“State Court”), captioned *France v. Bradford, et*
3 *al.*, Case No. A-23-866925-C (this “Action”); and

4 **WHEREAS**, on March 23, 2023, the Individual Defendants filed a Petition for Removal
5 and Notice of Removal (Dkt. 1), removing this Action from State Court to the United States
6 District Court for the District of Nevada; and

7 **WHEREAS**, on March 24, 2023, the Individual Defendants filed a Motion to
8 Consolidate, asking the Court to consolidate this Action into the consolidated shareholder
9 derivative action pending in the United States District Court for the District of Nevada, *In re*
10 *CleanSpark, Inc. Derivative Litigation*, Case No. 2:21-cv-01181-GMN-BNW (the “Motion to
11 Consolidate”) (ECF No. 10); and

12 **WHEREAS**, on March 31, 2023, Plaintiff filed the Motion to Remand and Incorporated
13 Memorandum of Law, which has been noticed for consideration by the Court in the normal
14 course (the “Motion to Remand”); and

15 **WHEREAS**, on April 7, 2023, Plaintiff filed the Opposition to Defendants’ Motion to
16 Consolidate (“Opposition”);

17 **WHEREAS**, to ensure judicial and party economy, the Parties agree to extend the
18 deadline for Defendants to reply to the Opposition until on or before April 24, 2023.

19 **NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by the
20 Parties hereto, through their undersigned counsel, subject to the approval of the Court, as
21 follows:

22 1. Defendants’ deadline to reply to the Opposition is extended until on or before
23 April 24, 2023.

24 2. Other than as agreed herein, the Parties reserve all rights.

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28 ///

1 DATED: April 13, 2023

DATED: April 13, 2023

2 **FOX ROTHSCHILD LLP**

ALDRICH LAW FIRM, LTD.

3 /s/ Colleen E. McCarty

/s/John P. Aldrich

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Counsel for Plaintiff Travis France

ORDER

16 **IT IS SO ORDERED.**

17 
18 _____
19 **UNITED STATES DISTRICT COURT JUDGE**

20 **DATED:** April 16, 2023